

**THE ATKIN FIRM, LLC**

Formed in the State of New Jersey

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*Attorneys for Plaintiff Strike 3 Holdings, LLC*

**UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF NEW JERSEY**

STRIKE 3 HOLDINGS, LLC,

Plaintiff,

v.

JOHN DOE subscriber assigned IP  
address 73.178.87.212,

Defendant.

Civil Case No. 1:24-cv-05453-CPO-  
AMD

**NOTICE OF MOTION FOR  
LEAVE TO SERVE  
A THIRD PARTY  
SUBPOENA PRIOR TO A  
RULE 26(f) CONFERENCE**

**TO: ALL COUNSEL OF RECORD IN THE ABOVE CAPTIONED  
MATTER**

**PLEASE TAKE NOTICE** that on June 3, 2024, at 9:30 a.m., or as soon thereafter as counsel may be heard, the undersigned attorneys for Plaintiff Strike 3 Holdings, LLC (“Plaintiff”) will appear before the Honorable Ann Marie Donio, U.S.M.J., of the United States District Court for the District of New Jersey, at the Mitchell H. Cohen Building & U.S. Courthouse, 4th & Cooper Streets, Camden,

NJ 08101, to move this Court pursuant to Federal Rule of Civil Procedure 26 for an Order granting Plaintiff leave to serve a third party subpoena on Defendant's internet service provider prior to the Rule 26(f) conference.

**PLEASE TAKE FURTHER NOTICE** that in support of this Motion, Plaintiff will rely upon the accompanying Brief and Declarations of David Williamson, Patrick Paige, and Susan B. Stalzer, submitted herewith; any reply papers in support of this Motion; and oral argument, if any.

**PLEASE TAKE FURTHER NOTICE** that pursuant to Local Civil Rule 7.1(e), a proposed form of order is also submitted herewith for the Court's consideration.

DATED: 04/29/2024

Respectfully submitted,

**THE ATKIN FIRM, LLC**

*Attorneys for Plaintiff,  
Strike 3 Holdings, LLC*

By: /s/ John C. Atkin, Esq.  
JOHN C. ATKIN